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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/873,689	06/04/2001	Kevin A. Deats	10005683-1	4778

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EXAMINER	
GOLD, AVI M	

ART UNIT	PAPER NUMBER
2157	

MAIL DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/873,689	DEATS, KEVIN A.	
	Examiner	Art Unit	
	Avi Gold	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 April 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-3,5-7,10,12,13 and 16-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3,5-7,10,12,13 and 16-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

This action is responsive to the amendment filed on April 26, 2007. Claims 1, 3, 5, 6, 10, 13, and 16-19 were amended. Claims 8, 9, 11, 14, and 15 were cancelled. Claims 1-3, 5-7, 10, 12, 13, and 16-20 are pending.

Response to Amendment

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-3 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Poisner, U.S. Patent No. 6,842,776 further in view of Devine et al., U.S. Patent No. 6,944,662.

Poisner teaches the invention substantially as claimed including the field of automatic monitoring control of devices by a central computer that accesses a remote database (see abstract).

As to claims 1 and 17, Poisner teaches a method for reporting to requesting subscribers about peripheral device events, the method comprising:

gathering event data from a plurality of devices relating to peripheral device events that have occurred at the peripheral devices (col. 4, lines 30-33, Poisner discloses a database collecting information regarding the maintenance and usage history of devices);

saving the event data to a database (col. 4, lines 30-33);

automatically sending to designated subscribers notification according to criteria contained in the subscriber profiles (col. 4, lines 50-56, Poisner discloses users automatically receiving reports based on information collected in the database); and,

automatically generating periodic subscription reports at regular periodic intervals according to criteria contained in the subscriber profiles and automatically sending the periodic subscription reports to designated subscribers according to criteria contained in the subscriber profiles (col. 4, lines 41-56, Poisner discloses periodic reports generated).

Poisner fails to teach the limitation further including maintaining subscription profiles for the subscribers that indicate the subscribers' preferences in regard to event notification and periodic subscription reports that can be provided to the subscribers, each profile specifying what peripheral device event information the subscriber wishes to receive and the format in which the subscriber wishes to receive the peripheral device event information, sending event notifications to designated subscribers upon occurrence of the peripheral device events, the event notifications being sent according to criteria contained in the subscriber profiles, and separate from sending the event notifications, generating subscription reports.

However, Devine teaches a system and methods providing automatic distributed data retrieval, analysis, and reporting services (see abstract). Devine teaches the use of a subscriber with subscribed-to datasets, demand basis and scheduled basis notifications separate from each other, and reports sent to subscriber in the format(s) of the subscriber's choice (col. 49, lines 12-43; col. 55, lines 30-37).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Poisner in view of Devine to maintain subscription profiles for the subscribers that indicate the subscribers' preferences in regard to event notification and periodic subscription reports that can be provided to the subscribers, each profile specifying what peripheral device event information the subscriber wishes to receive and the format in which the subscriber wishes to receive the peripheral device event information, sending event notifications to designated subscribers upon occurrence of the peripheral device events, the event notifications being sent according to criteria contained in the subscriber profiles, and separate from sending the event notifications, generating subscription reports. One would be motivated to do so because it allows for important notifications to be sent immediately.

Regarding claim 2, Poisner teaches the method according to claim 1 wherein the event data comprises information relating to any one from the group of region, manufacture, model or customer identification (col. 4, lines 30-34, Poisner discloses information collected related to the manufacturer of the device).

Regarding claim 3, Poisner teaches the method according to claim 1 wherein the periodic subscription reports comprise information in the form of text, tables, charts and/or graphs (col. 4, lines 41-56).

3. Claims 5-7, 10, 12, 13, 16-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Poisner and Devine further in view of Grasso et al., U.S. Patent No. 5,892,909.

Poisner teaches the invention substantially as claimed including the field of automatic monitoring control of devices by a central computer that accesses a remote database (see abstract). Devine teaches the invention substantially as claimed including a system and methods providing automatic distributed data retrieval, analysis, and reporting services (see abstract).

As to claims claim 5, Poisner and Devine teach the method according to claim 1

Poisner and Devine fail to teach the limitation further including the limitations further comprising the steps: receiving a request to set up or change a subscriber profile; receiving new subscriber information and entering it to a subscriber profile; and saving the new subscriber profile.

However, Grasso teaches systems and methods for managing delivery of time-sensitive business-critical information to multiple individuals located at various locations (see abstract). Grasso teaches the use of subscriber profiles that can be modified and

receive new information that is saved (col. 13, lines 15-35; col. 13, line 54 – col. 14, line 7).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Poisner and Devine in view of Grasso to receive a request to set up or change a subscriber profile; receive new subscriber information and enter it to a subscriber profile; and save the new subscriber profile to the manufacturing repository. One would be motivated to do so because it would allow for accurate corrections and new additions to the subscriber database.

Regarding claim 6, Poisner teaches the method according to claim 5 wherein said step of entering new subscriber information:

entering contact information of a subscriber (col. 13, line 54 – col. 14, line 7, Grasso discloses addresses entered of the recipient);

entering the subscriber's desired notification request (col. 24, lines 17-35, Grasso discloses the ability to change notification preferences);

entering subscription report criteria (Poisner, col. 4, lines 41-56); and

entering a designated time cycle for subscription report (Poisner, col. 4, lines 41-56).

Regarding claim 7, Poisner teaches the method according to claim 6 wherein the time cycle includes any one from the group of none, daily, weekly, monthly, quarterly or yearly (Poisner, col. 4, lines 41-56).

Regarding claims 10 and 18, Poisner teaches the method and computer program according to claims 1 and 17 wherein automatically sending to designated subscribers event notifications comprises:

searching a subscriber profile for notification requests for the event data according to the requested criteria;

determining whether there is any notification requests for the event data;

composing notifications for each notification request determined in the subscriber profile; and

sending out the notifications to the requesting subscriber (Poisner, col. 4, lines 30-56; Grasso, col. 13, lines 15-35; col. 13, line 54 – col. 14, line 7; col. 24, lines 17-35).

Regarding claim 12, Poisner teaches the method according to claim 10 wherein the requested criteria includes any one from the group of event occurrence by page count, event occurrence by region, event occurrence by manufacturing information, event occurrence by device model, or event occurrence by customer (Poisner, col. 4, lines 30-56).

Regarding claims 13 and 19, Poisner teaches the method and computer program of claims 1 and 17 the method according to claim 1 wherein automatically generating periodic subscription reports comprises:

searching a subscriber profile for any scheduled subscription report due;

determining whether there is any scheduled subscription report due; and

accessing information relating to the subscriber of any predetermined scheduled subscription report due (Poisner, col. 4, lines 30-56; Grasso, col. 13, lines 15-35; col. 13, line 54 – col. 14, line 7; col. 24, lines 17-35).

Regarding claim 16, Poisner teaches the method according to claim 13 further comprising:

sorting the information for the scheduled subscription report according to criteria of the requesting subscriber profile; and

formatting the information to generate the report (Grasso, col. 13, lines 15-35; col. 13, line 54 – col. 14, line 7; col. 24, lines 17-35).

4. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Poisner and Devine further in view of Barrett et al., U.S. Patent No. 5,568,612

Poisner teaches the invention substantially as claimed including the field of automatic monitoring control of devices by a central computer that accesses a remote database (see abstract).. Devine teaches the invention substantially as claimed including a system and methods providing automatic distributed data retrieval, analysis, and reporting services (see abstract).

As to claims 20, Poisner teaches the method of claim 1.

Poisner fails to teach the limitation further including wherein the event data comprises one or more of paper jams, low memory conditions, and undefined paper size conditions.

However, Barrett teaches a method and apparatus for advertising services of two network servers from a single network node (see abstract). Barrett teaches the use of status control information including paper jam and paper size (col. 14, lines 19-32).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Poisner in view of Barrett to use event data comprising one or more of paper jams, low memory conditions, and undefined paper size conditions. One would be motivated to do so because it allows for tracking of usage and statistics (Barrett, col. 14, lines 42-43).

Response to Arguments

5. Applicant's arguments with respect to claims 1-3, 5-7, 10, 12, 13, and 16-20 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 6,516,427 to Keyes et al.

U.S. Pat. No. 6,631,247 to Motoyama et al.

U.S. Pat. No. 6,587,735 to Yaguchi.

U.S. Pat. No. 5,155,842 to Rubin.

U.S. Pat. No. 6,779,004 to Zintel

U.S. Pat. No. 6,310,692 to Fan et al.

U.S. Pat. No. 5,647,056 to Barrett et al.

U.S. Pat. No. 5,799,206 to Kitagawa et al.

U.S. Pat. No. 6,522,421 to Chapman et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Avi Gold whose telephone number is 571-272-4002. The examiner can normally be reached on M-F 8:00-5:30 (1st Friday Off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Avi Gold

Patent Examiner

Art Unit 2157

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